

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA : SUPERSEDING
:
v. : 1:19CR54-1
:
STEVE BRANTLEY SPENCE :

The Grand Jury charges:

COUNT ONE

On or about December 3, 2018, in the County of Guilford, in the Middle District of North Carolina, STEVE BRANTLEY SPENCE, with the intent to cause death and serious bodily harm, did take a motor vehicle, that is, a 2015 Mercedes Benz ML350, bearing Virginia registration "4EVAMAC," Vehicle Identification Number 4JGDA5JB1FA574150, which had been transported, shipped, and received in interstate and foreign commerce, from the person and presence of another, by force and violence and by intimidation; in violation of Title 18, United States Code, Section 2119(1).

COUNT TWO

On or about December 3, 2018, in the County of Guilford, in the Middle District of North Carolina, STEVE BRANTLEY SPENCE did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2015

Mercedes Benz ML350, bearing Virginia registration "4EVAMAC," Vehicle Identification Number 4JGDA5JB1FA574150, from the Commonwealth of Virginia to the State of North Carolina, knowing the same to be stolen; in violation of Title 18, United States Code, Section 2312.

COUNT THREE

On or about December 3, 2018, in the County of Guilford, in the Middle District of North Carolina, STEVE BRANTLEY SPENCE did travel in interstate commerce from Virginia Beach, in the Commonwealth of Virginia, to Greensboro, in the State of North Carolina, with the intent to kill, injure, harass, and intimidate A.K. and A.N., each a spouse, intimate partner, and dating partner, as defined in Title 18, United States Code, Sections 2266(7) and 2266(10), and in the course of and as a result of such travel and presence, STEVE BRANTLEY SPENCE did attempt to commit a crime of violence against each such spouse, intimate partner, and dating partner, and during such offense did use dangerous weapons, that is, an Armscor of the Philippines .38 caliber handgun and a Jimenez Arms 9mm handgun; in violation of Title 18, United States Code, Section 2261(a)(1) and (b)(3).

COUNT FOUR

On or about December 3, 2018, in the County of Guilford, in the Middle District of North Carolina, STEVE BRANTLEY SPENCE, during and in

relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interstate domestic violence, as more fully referenced in Count Three of this Superseding Indictment, did knowingly carry and use, by brandishing, firearms, that is, an Armscor of the Philippines .38 caliber handgun and a Jimenez Arms 9mm handgun; in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

FORFEITURE ALLEGATION

1. The factual allegation contained in Count Four of this Superseding Indictment is realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section, 924(d)(1).

2. Upon conviction of the offense alleged in Count Four, the defendant, STEVE BRANTLEY SPENCE, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), all right, title and interest in and to any firearms and ammunition involved or used in the commission of the offense.

3. The property subject to forfeiture pursuant to paragraph 2 above may include, but shall not be limited to, the following:

- a. Jimenez Arms 9mm handgun, model J.A. Nine, serial number 004695;

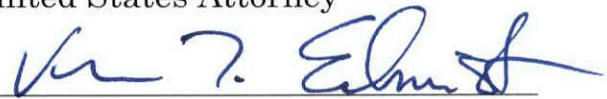
- b. Armscor of the Philippines .38 caliber handgun, model M1911-A1 FS, serial number CIT009091;
- c. Remington Arms Company, Inc., 12 gauge shotgun, model 870 Tactical Magnum, serial number RS54748Z;
- d. three boxes of Winchester 12 gauge buckshot;
- e. one box of Winchester 12 gauge rifle slugs;
- f. one box of Aguila .38 super A+P;
- g. two boxes of Winchester .38 super auto +p;
- h. one box of Hornaday Zombie Max bullets; and
- i. a loaded magazine for the Armscor .38 caliber handgun.

4. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant cannot be located upon the exercise of due diligence, has been transferred or sold to or deposited with a third person, has been placed beyond the jurisdiction of the Court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

All in accordance with Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, Rule 32.2(a), Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: January 31, 2020

MATTHEW G. T. MARTIN
United States Attorney



BY: VERONICA L. EDMISTEN
Assistant United States Attorney



BY: CLIFTON T. BARRETT
Assistant United States Attorney

A TRUE BILL:

FOREPERSON 